

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION**

Steven B. Cummings, et al.,

Court File No. 09-CV-847-RHK/JJK

Plaintiff,

vs.

Paramount Partners, LP, et al.,

Defendants.

**AFFIDAVIT OF MICHAEL L.
PUKLICH IN OPPOSITION TO
DEFENDANTS' MOTIONS TO
DISMISS SECOND AMENDED
COMPLAINT**

STATE OF MINNESOTA)

) ss.

COUNTY OF CARVER)

Michael L. Puklich, being first duly sworn upon oath, hereby states as follows:

1. I am attorney with the firm of Neaton & Puklich, PLLP, counsel to Plaintiffs in this matter. I make this affidavit in opposition to Defendants' Motions to Dismiss Second Amended Complaint.

2. I submit this affidavit to place certain facts before the Court. Attached to this affidavit as Exhibits are true and correct copies of unpublished court decisions cited in Plaintiffs' Memorandum:

Exhibit A: *Spiegel v. Besikof*, 1995 WL 697559 (Minn. App.)

Exhibit B: *In re Adaptive Broadband Securities Litigation*, 2002 WL 989478 (N.D. Cal)

Exhibit C: *In re: Synovis Life Technologies, Inc. Securities Litigation*, 2005 WL 2063870 (D.Minn.)

FURTHER YOUR AFFIANT SAITH NOT.

s/Michael L. Puklich
Michael L. Puklich (#0250661)

Subscribed and sworn to before me
this 17th day of November, 2009.

s/Lori B. Nolan